



PUBLIC SAFETY COMMITTEE

April 20th, 2004

HONORABLE JOE A. MARTINEZ CHAIR

HONORABLE BETTY T. FERGUSON VICE-CHAIR

MEMBERS

**HONORABLE SALLY A. HEYMAN
HONORABLE DORRIN D. ROLLE**

**HONORABLE NATACHA SEIJAS
HONORABLE JAVIER SOUTO**

**BUILDING CODE COMPLIANCE
CORRECTIONS & REHABILITATION
EMERGENCY MANAGEMENT
FIRE RESCUE
HOMELAND SECURITY
JUVENILE ASSESSMENT CENTER
MIAMI DADE POLICE DEPARTMENT
MEDICAL EXAMINER
TEAM METRO
IRP LIASON**

Public Safety Items not requiring additional analysis at this point

- 3A Dial A life Ordinance amendment House cleaning item to allow members to continue to serve if reappointed
- 3C In Kind Service request for Community Health Event (Children in Crisis) \$1,200 of service from MDRR requested by Commissioner Moss
- 4F 311 Agreement with the City of Miami. Allows the 311 program to go forward with the City of Miami, giving up the number so it can be used County wide. City will not put any money into this program it will be funded by the county. City will release liability for the county's handling of calls. City will get the same benefits of the new 311 system as the county. System to be housed in the new elections building.
- 8A Police In Kind quarterly report
- 8B Law Enforcement trust Fund report (Police)
- 8C Sunset review of Fire Prevention Safety Appeals Board, recommend to continue by staff. **Board has three (3) vacancies**
- 8D Dial A life Oversight Board Report. Program working as intended and has given out or is in the process of distributing 184 phones
- 8E Service Delivery Priorities 04/05 **Members should be aware that all of the Public safety major departments (Police, Fire and Corrections) had major budget issues presented in their department budget hearings it is obvious that this year is going to be challenging for the departments to fund all of the services that they would like to provide.**
- 8F Review Committee report for In kind services
- 8G Follow up report Police Records Bureau

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT
RESOLUTION WAIVING THE RESIDENCY REQUIREMENTS OF SECTION 2-11.38 AND 2-98.7 OF THE MIAMI-DADE COUNTY CODE FOR PUBLIC NUISANCE ABATEMENT BOARD MEMBER HENRY CRESPO, SR
Jimmy L. Morales

I. SUMMARY

This item request a waiver of the residence requirements for an appointment to the Nuisance Abatement Board. The item would request the waiver for Henry Crespo Sr. Mr. Crespo lives in the city of Miami, but is a prominent member of the "county community"

II. PRESENT SITUATION

The Nuisance Abatement Board serves the residents of UMSA and the code requires that the members reside in UMSA. This requirement can be waived by a vote of the BCC.

In fact at the last BCC meeting the Board approved the waiver for Steve Sessler who was a UMSA member prior to his residence being incorporated into a new municipality.

RESOLUTION WAIVING THE RESIDENCY REQUIREMENTS OF SECTION 2-11.38 AND 2-98.7 OF THE MIAMI-DADE COUNTY CODE FOR PUBLIC NUISANCE ABATEMENT BOARD MEMBER STEVE SESSLER **Commissioner Heyman**

Adopted

Resolution R-464-04

Mover: Dennis C. Moss

Seconder: Sally A. Heyman

Vote: 9 - 0

Absent: Carey-Shuler , Barreiro , Souto , Martinez

III. POLICY CHANGE AND IMPLICATION

This would a policy change for the Board, but is a policy choice of the Board to determine if the desire to restrict membership to UMSA residents is more important than commissioners having discretion in appointing whoever they feel is the best person for their appointment. If adopted this would be the 2nd such appointment recently approved.

IV. ECONOMIC IMPACT

None.

V. COMMENTS AND QUESTIONS

None, See Above.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

ORDINANCE PERTAINING TO MINIMUM MAINTENANCE STANDARDS FOR PROPERTY IN THE UNINCORPORATED AREAS OF MIAMI-DADE COUNTY; MODIFYING CHAPTER 19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (THE "CODE"); AMENDING SECTIONS 19-3, 19-8, 19-12, 19-13, 19-15.3, 19-15.5, 19-15.12 OF THE CODE; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Senator Javier Soto
Dennis C. Moss

I. SUMMARY

This item proposes changes to the Code of Miami Dade County as it relates to maintenance standards in UMSA. The changes are as follows;

Code	Current code	Proposed change	Analysis
19-3 (A) (5)	The length of time the property has remained in its present location	Evidence that it has not moved within 72 hours, including evidence that one or more tires have been raised on jacks/blocks	More detail in what suffices for evidence the property has been abandoned.
19-3 (AA)	Adding additional language	Adds definition for advertising device. (2) Items in an enclosed structure or shed will not be considered junk	There is a proposed change in 19-15.2 Removes carport and inserts enclosed structure.
19-8 (A)	Adding additional language	Adds junk definition as in 19.3(j)	House cleaning in nature
19-8 (c)	Adding additional language	Adds Vehicle covers in items listed as concealing junk	Would remove the ability to hide a vehicle considered junk under a car cover to avoid the code provisions
19-11	Adding additional language	Adds language "or the permit lapse"	Requires removal of items if permit lapse
19-12 (A) (B) (C)	Requires property to be removed within 10 days and gives 10 days to file a show cause motion	Changes 10 days to 5 in all cases	Reduces time that property will be left abandoned due to administrative reasons
19-13 (D)	Adding new language	Adds new language to ban open air storage of items in residential zoning areas, except for usable lawn /pool /toys, Ag. equipment	Creates more restrictive allowable use to improve quality of life environment. \$100 fine

19-15.3	Adds new language	Adds new language to require parking lot striping for strollers and parking spaces.	House cleaning to comply with current code 33-122.2
19-15.5	Adds new language	Requires litter containers for places that sell food/beverages	Requires compliance with site plan Designed to reduce litter at these establishments (\$100)

Code	Current Code	Proposed Change	Analysis
19-15-.5 (F)	New language	Adds language requiring screening for service areas, waste disposal areas and requires that you must comply with the site plan	Blocks these items from normal sight and requires that site plans be complied with. (\$500 fine)
19-15.12	New language	Prohibits vehicles from being parked and used for advertising purposes	Prohibits the marking up of vehicles and parking them for long periods of time for advertising purposes.

II. PRESENT SITUATION

Proposed changes to the current code. The Board approved the current code on 7/8/2003.

III. POLICY CHANGE AND IMPLICATION

Consistent with current Board policy(s) on improving the quality of life through code improvements for UMSA.

IV. ECONOMIC IMPACT

Staff has written that these changes represent no fiscal impact to Miami Dade County. This assumption is based on the thought that no new personnel would be added to enforce the new code changes and that the new changes will be revenue neutral.

The changes may have at least a minimum impact on the private sector who have to comply with the new changes.

V. COMMENTS AND QUESTIONS

The major changes from the last time this item was before us is the removal of the liter bins in the drive thru and the better definition of items that are allowed including recreation equipment and normal items found in lawns and porches. The item as written appears to strike a good balance between the ability of homeowners to enjoy their property and the desire of the community to set standards. This is a very common approach found in communities with home owner associations that require very strict adherence to the standards in order to maintain the quality of the neighborhood.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

ORDINANCE AMENDING SECTION 21-31.2 OF THE MIAMI-DADE COUNTY CODE REQUIRING PACKAGE STORES AND FOOD STORES SELLING ALCOHOLIC BEVERAGES TO POST A SIGN WARNING THAT RIDING WITH AN OPEN CONTAINER OF ALCOHOL OR DRIVING UNDER THE INFLUENCE OF ALCOHOL IS A CRIME; PROVIDING SIGNS PURSUANT TO THIS SECTION BE POSTED IN ENGLISH, SPANISH AND CREOLE; PROVIDING ENFORCEMENT UNDER SECTION 8CC OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING PENALTIES, SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Sen. Javier D. Souto

I. SUMMARY

This Item proposes amending current Code (21-31.2) to require that a package or food stores that sell alcohol beverages post signs that read;

IT IS UNLAWFUL TO POSSESS AN OPEN CONTAINER OF ALCOHOL WHILE DRIVING OR RIDING IN A MOTOR VEHICLE. DRIVING UNDER THE INFLUENCE OF ALCOHOL IS UNLAWFUL. VIOLATORS ARE SUBJECT TO IMMEDIATE ARREST AND IMPOUNDMENT OF THEIR VEHICLE. REMEMBER: JUST ONE BOTTLE OF BEER COULD LAND YOU IN JAIL.

The sign shall be in contrasting letters at least 2" high that are on the coolers or display case.

The notice shall be in English, Spanish and Creole and carry a \$500 fine for stores in violation.

II. PRESENT SITUATION

There is no current requirement.

III. POLICY CHANGE AND IMPLICATION

This would be a policy change in the requirement but consistent with the desire to reduce driving with alcoholic beverages in motor vehicles.

IV. ECONOMIC IMPACT

There would be an economic impact from both the private sector (cost of initial compliance and minor up keep of the lettering once installed and Staff has stated that the cost of compliance checks would be prohibitive and only done on complaint based response. Staff states that there are over 10,000 such retail stores that sell these types of beverages and would be under this requirement. Staff feels that the cost of informing the stores and mailing them information would be approximately \$5,000.

V. COMMENTS AND QUESTIONS

Item appears to be consistent with 21-31.3 of the Code which requires the posting of health warnings. (See attached)

hinder or impede the passage of pedestrians or vehicles.

_____(2) Reserved.

_____(3) Loiters in or about any police station, police headquarters building, County building, hospital, court building, or any other public building or place for the purpose of soliciting employment of legal services or sureties upon criminal recognizances.

_____(4) Loiters in or about a school, college or university campus so as to hinder or impede the orderly conduct of instructional, recreational or other school activities.

_____(5) Loiters in or about a public library so as to hinder or impede the normal operation of the library.

(c) *Penalties for violation.* Any person convicted of a violation of subsection (a)(3) or (a)(4) of this section shall be punished by a fine not to exceed two hundred fifty dollars (\$250.00) or by imprisonment in the County Jail for a term not to exceed thirty (30) days, or by both such fine and imprisonment, in the discretion of the court. Any person convicted of a violation of any other subsection of this section shall be punished by a fine of five hundred dollars (\$500.00) or by imprisonment in the County Jail for a term not to exceed sixty (60) days, or by both such fine and imprisonment, in the discretion of the court. This section is applicable in both the incorporated and unincorporated areas of Miami-Dade County and all violations thereof shall be prosecuted in the County Court.

(d) *Trial in Juvenile and Domestic Relations Court.* Where the offense set forth involves violation by minors, the same shall be tried in the Miami-Dade County Juvenile and Domestic Relations Court when so required by the laws of the State of Florida.

(e) *Fingerprinting.* Every person charged with any violation of the provisions of subsection (a) or (b) of this section may be fingerprinted and photographed by the Miami-Dade Police Department. Upon an adjudication of not guilty of a charged violation of subsection (a) or (b), the Miami-Dade Police Department will cause all fingerprints and photographs to be expunged and destroyed, including any forwarded to the Federal Bureau of Investigation or the Florida Sheriff's Bureau, provided such fingerprints and photographs result solely from such charge or charges so adjudicated.

(Ord. No. 67-17, §§ 1-3, 3-7-67; Ord. No. 67-56, § 1, 7-25-67; Ord. No. 69-93, § 1, 12-17-69; Ord. No. 70-68, § 1, 9-15-70; Ord. No. 71-81, § 1, 10-5-71; Ord. No. 71-96, § 1, 2-21-71; Ord. No. 73-34, § 1, 4-3-73; Ord. No. 74-43, § 1, 6-18-74; Ord. No. 80-76, § 1, 7-15-80; Ord. No. 82-14, § 1, 3-2-82)

Annotation--Former Section 21-31.1(b)(2), defining the offenses of loitering to include knowingly loitering "in any place with one (1) or more persons knowing that a narcotic or dangerous drug, as defined in Sections 893.01 and 893.15, Florida Statutes, is being unlawfully used or possessed" was held unconstitutional in *Sawyer v. Sandstrom*, 615 F.2d 311. (Said provision was repealed pursuant to Ord. No. 80-76, adopted July 15, 1980.)

Sec. 21-31.2. Consumption or possession of alcohol in open containers near store selling alcoholic beverages, religious property, and other locations.

(a) *Definitions.* The following definitions shall apply for purposes of this section.

_____(1) *Alcoholic beverage* shall mean any beverage containing more than one (1) percent of alcohol by weight.

_____(2) *Food store selling alcoholic beverages* shall mean any food or convenience store which has a license for package sales of alcoholic beverages from the Florida Division of Beverages and Tobacco in the classification 1-APS, 2-APS, or PS.

_____(3) *Open container* means any bottle, can, cup, glass, or other receptacle containing any alcoholic beverage which is open, which has been opened, which has its seal broken, or which has had its contents partially removed.

_____(4) *Operator* shall mean any person physically present at a store defined in Section 21-31.2(a)(2) or (6) who is managing said store or is otherwise in charge of its operation.



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Dade County: Code of Ordinances

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CODE of MIAMI-DADE COUNTY, FLORIDA Codified through Ord. No. 03-272, enacted Dec. 16, 2003. (Supplement No. 40)

Chapter 21 OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE IV. MISCELLANEOUS

Sec. 21-31.2. Consumption or possession of alcohol in open containers near store selling alcoholic beverages, religious property, and other locations.

____ (5) *Owner* shall mean any person holding an occupational license for a store defined in Section 21-31.2(a) (2) or (6).

____ (6) *Package store* shall mean any store primarily engaged in the business of selling alcoholic beverages which has a license for package sales from the Florida Division of Beverages and Tobacco in the classifications of 1-APS, 2-APS or PS.

____ (7) *Person* shall mean any individual, firm, partnership, joint venture, syndicate or other group or combination acting as a unit association, corporation, or other legal entity and shall include the plural as well as the singular.

(b) *Public nuisance; unlawful acts.*

____ (1) It is a public nuisance and shall be unlawful and in violation of this section for any person to consume any alcoholic beverage while within one hundred (100) feet of any package store or food store selling alcoholic beverages, property regularly used for religious purposes, community center, senior citizens' center, day care center, funeral home, or school.

____ (2) It is a public nuisance and shall be unlawful and in violation of this section for any person to possess an open container of alcoholic beverages while stopping, standing, or remaining within one hundred (100) feet of any package store or food store selling alcoholic beverages, property regularly used for religious purposes, community center, senior citizens' center, day care center, funeral home, or school.

____ (3) The owner or operator of any package store or food store selling alcoholic beverages shall prominently post, on the outside of each entrance and on the inside of the main customer exit of each food store selling alcoholic beverage or package store, a sign with contrasting letters at least two (2) inches tall, stating the following:

IT IS UNLAWFUL FOR ANY PERSON TO CONSUME, OR POSSESS, IN AN OPEN CONTAINER, ANY ALCOHOLIC BEVERAGE IN THIS STORE OR WITHIN 100 FEET OF ANY PART OF THIS STORE. VIOLATORS ARE SUBJECT TO ARREST AND PROSECUTION.

(c) *Area of applicability and exceptions.* For the purpose of this section, the area within one hundred (100) feet of any property described in sections (b)(1) and (2) shall be the area within a one hundred-foot radius of any part of such property, but shall not include any property lawfully used for a private residence or any area where possession or consumption of alcoholic beverages is specifically prohibited or permitted by State law or by any license or permit issued pursuant thereto. Nor shall this provision apply to any alcoholic beverage served by a religious organization, community center, senior citizens' center, day care center, funeral home, or school and consumed on its premises as part of a religious service, community meal, or event sponsored by that organization.

(d) *Penalties.* A first violation of this section will be punishable by a fine of fifty dollars (\$50.00); a second violation of this ordinance will be punishable by a fine of one hundred dollars (\$100.00); the third and each additional violation of this section will be punishable by a fine not less than one hundred fifty dollars (\$150.00) or greater than three hundred dollars (\$300.00), or by imprisonment not less than ten (10) days or greater than thirty (30) days in jail, or both.

(Ord. No. 87-66, § 2, 10-6-87; Ord. No. 94-30, § 1, 2-1-94)

Sec. 21-31.3. Warning signs required for retail sale of alcoholic beverages.

(a) For the purposes of this section the following definitions shall apply:

- _____ (1) *Alcoholic beverages* shall mean alcoholic beverages as set forth in Section 561.01(4)(a), Florida Statutes, as same may be amended from time to time.
- _____ (2) *Sale and sell* shall mean "sale" and "sell" as set forth in Section 561.01(9), Florida Statutes, as same may be amended from time to time.
- _____ (3) *Retail* shall mean sale to the ultimate consumer.

(b) No person shall sell at retail any alcoholic beverage unless said person has posted in a conspicuous place where the sale is to occur a sign which is at least eleven (11) inches by seventeen (17) inches in size, which is plainly visible and legible to all persons entering the premises and which shall read as follows:

HEALTH WARNING

- _____ ALCOHOL IN BEER, WINE AND LIQUOR CAN CAUSE:
- _____ *INTOXICATION
- _____ *ADDICTION
- _____ *BIRTH DEFECTS
- _____ REDUCE YOUR RISKS:
- _____ • DO NOT DRINK BEFORE DRIVING OR OPERATING MACHINERY.
- _____ • DO NOT MIX ALCOHOL WITH OTHER DRUGS (IT CAN BE FATAL).
- _____ • DO NOT DRINK DURING PREGNANCY.

Notwithstanding any provision of the Code of Miami-Dade County, said sign shall also be translated into Spanish and posted.

(c) Hotels, restaurants, lounges and other establishments which are permitted to sell alcoholic beverages for consumption on the premises are expressly exempt from the provisions of this section.

(d) Any person violating any of the provisions of this section shall, upon conviction of such offense, be punished by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment not to exceed sixty (60) days in the County Jail, or both, in the discretion of the court. Each day of continued violation shall be considered a separate offense.

(Ord. No. 91-49, § 1, 5-7-91)



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LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING THE WAIVER OF FORMAL BID PROCEDURES AND PROVISIONS OF ADMINISTRATIVE ORDER 3-38 AUTHORIZING NEGOTIATION OF CONTRACT TR04-SOS WITH THE WACKENHUT CORPORATION (Miami-Dade Transit Agency)

I. SUMMARY

This Item proposes waiving the bid procedures and authorizing the award of the security services contract to Wackenhut Corp.

The contract would be for 5 years

The dollar amount is to be negotiated

II. PRESENT SITUATION

Currently Wackenhut has the security contract for transit. The contract is set to expire in November 04.

The current contract was a no bid contract that was vetoed by the Mayor for the lack of competitive process. The mayor felt in his veto that even if the company was the best and only firm then let the process work its way out so that the public perception would not be that we were awarding a \$40 million dollar contract with no bid. The Board over rode the Mayor and the contract was awarded.

Recently the Board approved a \$14.8 million dollar change order that was caused by additional security needs associated with the PTP and 9/11. The total value of the last contract was \$57.8 Million.

The staff report states that only Wackenhut can satisfy the requirements for providing large scale armed security. This was verified through surveys and questioners by staff. Staff also stated that new security requirements make this even more important. It should be noted that many of the larger Transit agencies utilize Police officers which could reduce the amount of armed security guards required.

III. POLICY CHANGE AND IMPLICATION

This would keep with the Boards previous policy in overriding the Mayor's veto and awarding the contract to the only viable bidder.

IV. ECONOMIC IMPACT

To be negotiated but the last contract was for \$40+ million with a \$14 million dollar Change Order. It is expected according to staff to only require the PTP to pay 13-16% depending on how the cost break down.

In the future this contract will require more money as new service is added. This will not occur during the life of the 5 year contract as no service enhancements of that magnitude will be completed by then.

V. COMMENTS AND QUESTIONS

None, see above.



Miami-Dade Legislative Item

File Number: 040459

File Number: 040459**File Type:** Resolution**Status:** Adopted as amended**Version:** 0**Reference:** R-193-04**Control:****File Name:** SECURITY OFFICER SERVICES CONTRACT TA-99-SOS **Introduced:** 2/11/2004**Requester:** Miami-Dade Transit Agency **Cost:****Final Action:** 2/3/2004**Agenda Date:** 2/3/2004 **Agenda Item Number:** 7J1C

Notes: **Title:** RESOLUTION RETROACTIVELY AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO CONTRACT TA99-SOS WITH THE WACKENHUT CORPORATION FOR PROVISION OF SECURITY OFFICER SERVICES; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE CANCELLATION PROVISIONS CONTAINED THEREIN

Indexes: SECURITY OFFICER SERVICES **Sponsors:** NONE**Sunset Provision:** No**Effective Date:****Expiration Date:****Registered Lobbyist:** None Listed

Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
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County Attorney	2/11/2004		Assigned	R. A. Cuevas, Jr.		2/3/2004	
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Board of County Commissioners	2/3/2004	7J1C	Adopted as amended				P
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REPORT: At the meeting of January 20, 2004, the Board by motion duly made, seconded and carried, adopted the foregoing resolution, as moved by Commissioner Rolle and seconded by Commissioner Sosa. This motion passed by a vote of 7-0, (Commissioners Barreiro, Diaz, Ferguson, Moss, Souto and Chairperson Carey-Shuler were absent). (Agenda Item 7J1A - Legislative File No. 033238). On Tuesday, February 3, 2004, the Board by motion duly made, seconded and carried, approved a motion to reconsider Agenda Item 7J1A (Legislative File No. 033238), as moved by Commissioner Rolle and seconded by Commissioner Ferguson. This motion passed by a vote of 10-0, (Commissioners Diaz and Sorenson were absent). Subsequently, the Board by motion duly made, seconded and carried, adopted the foregoing proposed resolution as amended.

Legislative Text

TITLE

RESOLUTION RETROACTIVELY AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO CONTRACT TA99-SOS WITH THE WACKENHUT CORPORATION FOR PROVISION OF SECURITY OFFICER SERVICES; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE CANCELLATION PROVISIONS CONTAINED THEREIN

BODY

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board retroactively approves Amendment No. 1 to the contract between Miami-Dade County and The Wackenhut Corporation to provide security officer services in substantially the form attached hereto and made a part hereof; increasing the contract ceiling by \$14.8 million to a new total contract ceiling of \$57,800,000.

Section 2. This Board authorizes the use of transit system surtax proceeds to pay that portion of the \$14.8 million increase that is attributable to implementation of the People's Transportation Plan.

Section 3. This Board authorizes the County Manager to execute Amendment No. 1 for and on behalf of Miami-Dade County and to exercise the cancellation provisions contained therein.

***** HEADER *****

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. DATE:
and Members, Board of County Commissioners

FROM: George M. Burgess SUBJECT: Security Officer
County Manager Services Contract TA99-SOS

***** STAFF RECOMMENDATION *****

It is recommended that the Board retroactively approve Amendment No. 1 to Contract TA99-SOS between Miami-Dade County and The Wackenhut Corporation. The Contract is a non-exclusive contract for the primary purpose of providing security officer services for Miami-Dade Transit (MDT). This item is retroactive to December 15, 2003. The proposed retroactive amendment will increase the contract ceiling by \$14,800,000 for a new contract ceiling of \$57,300,000. The contract runs through November 2, 2004, but the contract ceiling is not sufficient for the term of the contract. This Amendment only increases the contract limit.

***** MANAGER'S BACKGROUND *****

Please see ATTACHMENT 1, Breakdown of Costs Related to Contract TA99-SOS Request for Ceiling Increase.

This item was considered by the Transportation Committee on October 16, 2003. The Transportation Committee deferred the item to the Public Safety Committee. At the Public Safety Committee meeting held on November 14, 2003, Commissioner Joe Martinez, Chairman, requested that this item be held for discussion until the December 9, 2003, Public Safety Committee meeting, as a quorum was not available in the November 14 meeting. Staff had estimated that the original ceiling under Contract TA99-SOS, \$42,500,000, would be exhausted by December 15, 2003. Given the critical nature of the security services provided under Contract TA99-SOS, those services were

continued.

On November 2, 1999, by Resolution No. R-1133-99, the Board awarded Contract TA99-SOS to The Wackenhut Corporation in an amount not to exceed \$42,500,000. Of this amount, \$42,000,000 was allocated to the provision of security officer services and \$500,000 was allocated for special security details and unforeseen requirements.

At the time of award, November 1999, the forecasted number of weekly security hours provided by Wackenhut was 7806 hours per week. Currently, the Wackenhut Corporation is providing 12,366 hours per week of security services.

The increases in required security since the September 11, 2001 terrorist attacks, the subsequent consolidation into this contract, of security services previously provided by Miami-Dade County's General Services Administration Department (GSA), at Miami-Dade Transit facilities, along with greatly increased security services resulting from the implementation of the People's Transportation Plan (PTP), have increased the amount required to maintain the provision of services under this Contract beyond the original contract ceiling of \$42,500,000. Transfer of GSA Security Posts to Contract TA99-SOS. With the events of September 11, 2001, MDT was compelled to transfer the responsibility for securing MDT's maintenance and operations compounds, previously provided by GSA, under the existing security contract to ensure the highest levels of security for all transit assets and to ensure that a uniform means of communication exists between all transit security posts. The experience level of the GSA security officers stationed at the maintenance facilities did not meet the security standards required of MDT. Approximately 1,456 weekly security hours were moved from GSA to Contract TA99-SOS when security for MDT's Metrobus, Metrorail and Metromover maintenance facilities was taken over. The transfer of duties increased the forecasted weekly security hours by 18 percent and approximately \$1.51 million per year including the new equipment required. An estimated \$4.9 million has been added to the total cost of the five-year contract.

Additional Post Hours

As a result of the September 11, 2001 terrorist attacks, MDT added the following new posts to protect patrons and assets from security vulnerabilities:

* For instance, since the inception of the new contract (November 1999) through June 2003, MDT has added 392 hours of weekly security hours at its Central Bus Maintenance facility, and has added 168 weekly security hours at both its Northeast Bus and Coral Way Bus maintenance facilities. These posts that were neither included under the original scope of services under Contract TA99-SOS, nor included under the previous arrangement with GSA, cost approximately \$756,000 per year, with an additional cost to the overall contract of \$2.9 million.

* In addition, Miami-Dade Transit also added 168 weekly hours of security coverage at both the William Lehman Metrorail Maintenance and Metromover Maintenance Facilities (336 hours total) and 84 hours at the Dadeland South Tail Track at an expected annual cost of \$785,000, with an added cost to the overall contract of \$1.948 million.

* New security posts at the South Dade Busway Park and Ride Lots have added 126 hours per week and are estimated to add \$120,800 per year and approximately \$250,600 to the total cost of the contract.

* Furthermore, additional service resources such as new radios, vehicles and additional personnel will cost approximately \$106,300 annually, with an additional cost of \$211,000 to the overall cost of the contract.

* These new services added to the requirements of security contract TA99-SOS were implemented as a result of

increased security vulnerabilities identified after September 11, 2001.

These new posts have increased the forecasted weekly security hours by 19 percent and approximately \$1.77 million per year. An estimated \$5.31 million has been added to the total cost of the five-year contract.

The People's Transportation Plan

The passage of the People's Transportation Plan (PTP) in November 2002, required additional security services, which were not anticipated or forecasted at the contract inception. When MDT went to 24-hour/7 days-per-week service, additional security services were required at all Metrorail and select Metromover facilities to provide security during all hours of operation. 24/7 operations have increased the forecasted weekly security hours and will add \$1.6 million per year and \$2.2 million overall to the cost of this five year contract.

Another service to be provided as part of the PTP is a bus detail to ensure the security of Metrobus patrons and resources. The bus detail is comprised of a contingent of security officers who follow and board buses to ensure acts of crime are minimized.

This bus will add an additional \$1.10 million dollars per year and \$2.377 million dollars to the overall cost of this contract.

It is estimated that available funds under the existing contract will be exhausted by mid December 2003, eleven months before the contract is set to expire. MDT anticipates that \$14,800,000 will be necessary to fund the contract through its completion. The additional funding will provide for all new and transferred services and any unanticipated needs, as a result of code orange or greater threat level, as dictated by the Office of Homeland Security. It should be noted that MDT has never asked for an increase in the cost ceiling for the security contract. However, the unforeseen events of the previous two years, in particular September 11, 2001, and the passage of the People's Transportation Plan necessitate the need for additional funding of Contract TA99-SOS.

FISCAL IMPACT

There is no fiscal impact as all finance issues have been addressed through the budget process. The current contract ceiling is \$42,500,000.00. An increase in the contract ceiling by \$14,800,000, to a new ceiling of \$57,300,000, through November 2, 2004 is needed. The funding source is Miami-Dade operating funds.

Surface Transportation Manager

ATTACHMENT 1

Breakdown of Costs Related to Contract TA99-SOS Request for Ceiling Increase

Change

Date of start of additional/ change of service

Previously existing function moved to Contract TA99-SOS.

Additional Annual costs to MDC

Change needed to ceiling of current 5 year contract ending Nov. 2, 2004

Transfer of security post services previously provided by/contracted with GSA

12/2001

4,900,000

0

4,900,000

Additional posts as of Sept.11, 2001

9/2001

0

1,770,000

5,310,000

PTP additions 24 hour Rail service

5/2003

0

1,313,916

1,900,798

PTP additions

Mover service

5/2003

0

145,973

211,169

PTP additions

Bus detail

12/2002

0

1,092,294

2,123,601

PTP additions Equipment

12/2002

0

170,654

341,309

Total Additional Annual Costs 4,492,837

Total Increase in Contract Ceiling 14,786,877

Minimum Recommended TA99-SOS Contract Ceiling 57,286,877

Fiscal Impact: Other than increasing the ceiling for contract TA-99 SOS, all fiscal impacts/issues have been addressed through the budget process.

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LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

ORDINANCE AMENDING SECTIONS 2-98.4 THROUGH 2-98.11 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA CONCERNING NUISANCE ABATEMENT; REVISING PURPOSE, DEFINITIONS, OPERATING PROCEDURES, THE PUBLIC NUISANCE ABATEMENT BOARD, HEARING PROCESS AND FEES AND COSTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
(Miami-Dade Police Department)

I. SUMMARY

This item proposes amendments to the Nuisance Abatement Ordinance. Notably,

It allows for the Ordinance to apply to incorporated areas of the county as well as unincorporated. It removes the restriction on members being only from Unincorporated (UMSA) Dade. Adds definitions for dangerous animals (incidents) in an attempt to apply toward animal fighting. Adds the practice of unlicensed medicine. **Gives subpoena power to the NAB**, and changes the procedures in order to allow for speedy elimination of the problem.

II. PRESENT SITUATION

The old code (1992), was according to the Police Department in need of updating and applied only to UMSA.

III. POLICY CHANGE AND IMPLICATION

This would be a policy change and attempt to take our enforcement activities to other municipalities that do not have a Nuisance code. **The municipalities would have to agree and be under the police protection of the MDPD. It would not apply to cities or towns that have their own police departments.**

This is an attempt to make the NAB more effective and efficient tool in reducing public nuisances and habitats for criminal or undesirable behavior.

IV. ECONOMIC IMPACT

Staff indicates that it may incur a cost of \$85,000 to implement this change but actually may save that amount or more in call/crime reduction. Fine revenue could be enhanced under this Ordinance

V. COMMENTS AND QUESTIONS

None. See above

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION APPROVING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF DORAL FOR THE PROVISION OF SPECIALIZED POLICE SERVICES; AUTHORIZING THE COUNTY MANAGER TO EXECUTE THIS AGREEMENT, TAKE ANY ACTION REQUIRED OF THE COUNTY HEREIN AND EXERCISE ANY RENEWAL AND CANCELLATION PROVISIONS THEREIN (**Office of Strategic Business Management**)

RESOLUTION APPROVING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF DORAL FOR THE PROVISION OF LOCAL PATROL POLICE SERVICES; AUTHORIZING THE COUNTY MANAGER TO EXECUTE THE AGREEMENT, TAKE ANY ACTION REQUIRED OF THE COUNTY HEREIN AND EXERCISE ANY RENEWAL AND CANCELLATION PROVISIONS THEREIN (**Office of Strategic Business Management**)

I. SUMMARY

These item approve the contracts for police services with the new city of Doral, 4D specialized police service and 4E Local patrol.

Both are similar to previous agreements the Board has seen, the notable difference is that the formula that was devised for Miami Lakes in figuring the cost of specialized police services actually has a dollar value of zero for Doral. In other words their credit equals their required payment, so they will not pay the County for their specialized police services. The local patrol contract is similar to all of the others in that it requires a three year contract with a phase out provision and sets the number of officers and equipment to be provided.

II. PRESENT SITUATION

The County enters into these agreements when a city incorporates. It allows MDPD to have an opportunity to continue the provision of police services which gives the County a large county Police force which remains intact. This is the best scenario for the County short of requiring the municipalities to keep the MDPD service like we do with Fire, Solid Waste and Library services.

III. POLICY CHANGE AND IMPLICATION

None this maintains current policy.

IV. ECONOMIC IMPACT

Specialized service \$0 value it is a wash from the credit given to the amount paid in County taxes.

Local Patrol \$7.059 Million cost to the city. (70 officers, 5 civilian)

V. COMMENTS AND QUESTIONS

None.